

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Frederic Perriot
SERIAL NO.: 10/763,673
FILING DATE: January 22, 2004
TITLE: Countering polymorphic malicious computer code through
code optimization
EXAMINER: Randal D. Moran
GROUP ART UNIT: 2135
ATTORNEY DOCKET NO. 20423-08166

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

NOTICE OF APPEAL UNDER 37 CFR § 41.31

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Office Action of November 20, 2007, finally rejecting claims 1-19, and 24-27.

The Commissioner is hereby authorized to charge to Deposit Account No. 19-2555 any additional charges or fees as applicable for the payment of the filing of the Notice of Appeal.

The Commissioner is respectfully requested to contact the undersigned should it be beneficial for advancing prosecution of the present application.

Respectfully Submitted,
Frederic Perriot

Date: February 20, 2008

By: /Nikhil Iyengar/
Nikhil Iyengar
Reg. No. 60,910
FENWICK & WEST LLP
555 California Street
San Francisco, CA 94104
12th Floor
Phone: (415) 875-2367
Fax: (415) 281-1350